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**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH**

S.B. CIVIL WRIT PETITION NO.2223/07

Smt. Sarla Choudhary **Versus** State & Anr.

DATE OF ORDER :: 02/04/2007

HON'BLE MR. JUSTICE AJAY RASTOGI

Mr. Amit Kuri for Mr. J.K. Yadav, for petitioner

* * *

Petitioner is working as Senior Teacher and has been transferred as Headmaster vide order dated 6th January, 2007 in District Nagour itself and in compliance of the said order, she was relieved on 6th January, 2007 itself.

Petitioner as per her own saying was working at Govt. Girls Senior Secondary School, Ginani, Nagour for last more than 9 years and has been transferred to Govt. Girls School, Tausar, District Nagour vide order Ann.2 dated 6th January, 2007.

Contention of counsel for petitioner is that she is working as Senior Teacher in Secondary set-up cannot be transferred even as Headmaster in the Elementary Section which according to him is a demotion of petitioner. Counsel further contends that her case has been recommended by the District Education Officer, Elementary, Nagour vide his letter dated 17th January, 2007, but no fruitful purpose has been served and the

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appeal preferred by her has also been dismissed by the learned Tribunal.

I have considered the submission of the counsel and perused the material available on record.

Petitioner was serving for almost 9 years at Ginani, District, Nagour itself and the authority is always competent to transfer in the interest of administration in terms of Rule 20 of the Rules.

As regards the submission made by counsel that instant order of transfer tantamounts to her demotion, in my opinion, holds no merit for the reason that petitioner has not been able to show from the material on record or from the relevant rules that the post of Headmaster of Elementary set-up is lower post in comparison to the post of Senior Teacher of Secondary Education, as such, no adverse inference can be drawn.

So far as recommendation made by the District Education Officer is concerned, it is always for the administration to examine as to whether her services at the place of posting are required or not. I do not find any justification to interfere in the instant petition.

Consequently, the writ petition fails and is hereby dismissed.

[AJAY RASTOGI], J.